

LINCOLN GENERAL INSURANCE COMPANY'S LIST OF EXHIBITS

CASE CAPTION: Northland Insurance Company v. Lincoln General Insurance Company, J.H.M. Enterprise, Inc., and Vernice L. Statts, Defendants, Lincoln General Insurance Company, Third Party Plaintiff v. Woolever Brothers Transportation, Inc., Third Party Defendant

CASE NUMBER: 1:01-CV-763

FILED
HARRISBURG

MIDDLE DISTRICT OF PENNSYLVANIA

JUDGE: YVETTE KANE

Per

MARY E. SANDREA, CLERK

DEPUTY CLERK

| <u>PTF</u> | <u>DFT</u> | <u>DESCRIPTION OF OBJECT OR ITEM</u> | <u>IDENTIFIED</u> | <u>EVIDENCE</u> | <u>RULING</u> | <u>WITNESS ON STAND</u> |
|------------|------------|--|-------------------|-----------------|---------------|-------------------------|
| | D-1 | Northland Insurance Company's claim file notes (LG-1) | 1/27/03 | | | J.H. McCormick |
| | D-2 | Certification of road test, violation and review records for Vernice Statts (LG-2) | 1/27/03 | | | J.H. McCormick |
| | D-3 | Certificate of qualification, medical examiner's certificate, physical examination form, and application for employment of Vernice Statts (LG-3) | 1/27/03 | | | J.H. McCormick |
| | D-4 | Drivers' Daily Log for 11/10-16/95 (LG-4) | 1/27/03 | | | J.H. McCormick |
| | D-5 | Automobile Loss Notice for Woolever (11/17/95) (LG-5) | 1/28/03 | | | Gayle Creselius |
| | D-6 | Three pages of handwritten notes - Creselius (11/17/95) (LG-6) | | | | |
| | D-7 | Lease dated March 1, 1990, faxed to Northland on 11/17/95 (LG-7) | 1/27/03 | | | J.H. McCormick |
| | D-8 | Memorandum from Dols to Rhein (11/20/95) (LG-8) | 1/27/03 | | | J.H. McCormick |
| | D-9 | One page handwritten note - Creselius 11/20/95) (LG-9) | 1/28/03 | | | Gayle Creselius |

(6)
1-31-03

| PTF | DFT | DESCRIPTION OF OBJECT OR ITEM | IDENTIFIED | EVIDENCE | RULING | WITNESS ON STAND |
|-----|------|---|------------|----------|--------|------------------|
| | D-10 | One-page handwritten note - Creselius (11/20/95 - "Reviewed policy and lease") (LG-10) | 1/28/03 | | | Gayle Creselius |
| | D-11 | One-page handwritten note - Creselius (11/20/95 - references Rod Rhein) (LG-11) | | | | |
| | D-12 | One-page handwritten note - Parker (11/21/95 - telephone call with Bob Dols) (LG-12) | | | | |
| | D-13 | One-page handwritten note - Parker (11/28/95 - telephone call with Mike McGovern) (LG-13) | | | | |
| | D-14 | Lease dated November 16, 1995 faxed to Mike McGovern on November 29, 1995 (LG-14) | 1/27/03 | | | J.H. McCormick |
| | D-15 | Letter from Parker to Woolever (11/29/95) (LG-15) | | | | |
| | D-16 | One-page handwritten note - Creselius (12/4/95 - "Hazel at Woolever called") (LG-16) | 1/28/03 | | | Gayle Creselius |
| | D-17 | One-page handwritten note - Parker (12/4/95 - "called insured") (LG-17) | 1/29/03 | | | Jerry Parker |
| | D-18 | Lease dated November 16, 1995 faxed to Northland on December 4, 1995 (LG-18) | 1/27/03 | | | J.H. McCormick |
| | D-19 | Fax from Dols to Rhein (12/4/95) (LG-20) | | | | |
| | D-20 | One-page handwritten note - Parker (12/6/95 re telephone conversation with Mike McGovern) (LG-22) | 1/29/03 | | | Jerry Parker |
| | D-21 | One-page handwritten note - Parker (12/6/95 re telephone conversation with Lou Bricklin) (LG-23) | | | | |
| | D-22 | Northland's Reinsurance report (12/14/95) (LG-24) | 1/29/03 | | | Jerry Parker |

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| | D-23 | Letter from Parker to Woolever (12/18/95) (LG-25) | 1/27/03 | | | J.H. McCormick |
| P-19 | D-24 | Letter from Parker to McGovern attaching portions of Northland policy (12/21/95) (LG-26) | 1/28/03 | | | Michael McGovern |
| | D-25 | Letter from McGovern to Parker (2/1/96) (LG-27) | 1/28/03 | | | Michael McGovern |
| | D-26 | One-page handwritten note - Parker (2/6/96 re received Lincoln General policy) (LG-28) | | | | |
| | D-27 | Letter from Parker to McGovern (2/9/96) (LG-29) | | | | |
| | D-28 | One-page handwritten note - Parker (4/11/96) (Insured received suit papers) (LG-32) | | | | |
| | D-29 | One-page handwritten note - Parker (4/15/96) (call with Bricklin and Sinclair) (LG-33) | 1/29/03 | | | Louis Bricklin |
| | D-30 | Letter from Parker to Bricklin (4/20/96) (First two pages of LG-34) | 1/28/03 | | | Gayle Crocelius |
| | D-31 | Letter from Parker to Woolever (4/20/96) (LG-35) | | | | |
| | D-32 | Complaint in Krapf v. Statfs (No. S-650-1996) (LG-36) | 1/27/03 | | | J.H. McCormick |
| | D-33 | Letter from Bricklin to Woolever (6/7/96) (LG-37) | 1/29/03 | | | Louis Bricklin |
| | D-34 | Draft answer, new matter and crossclaim of Woolever in Krapf v. Statfs, No. S-650-1996) (LG-38) | 1/29/03 | | | Louis Bricklin |
| | D-35 | Letter from Bricklin to Parker (6/7/96) (LG-39) | 1/29/03 | | | Jerry Parker |
| | D-36 | Answer, new matter and crossclaim of Woolever filed in Krapf v. Statfs, No. S- | 1/27/03 | | | J.H. McCormick |

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| | | 650-96 (LG-40) | | | | |
| | D-37 | Plaintiff's request for production of documents in Krapf v. Statts, No. S-650-96 (LG-41) | 1/29/03 | | | Louis Bricklin |
| | D-38 | Interrogatories propounded by Plaintiff in Krapf v. Statts, No. S-650-96 (LG-42) | | | | |
| | D-39 | Woolever's response to request for production of documents in Krapf v. Statts, No. S-650-96 (LG-43) | 1/29/03 | | | Louis Bricklin |
| | D-40 | Woolever's answers to interrogatories in Krapf v. Statts, No. S-650-96 (LG-44) | 1/29/03 | | | Louis Bricklin |
| | D-41 | Letter from Wolfgang to Bricklin (7/1/96) (LG-45) | 1/29/03 | | | Louis Bricklin |
| | D-42 | Letter from Parker to Woolever (7/1/96) (LG-46) | | | | |
| | D-43 | Letter from Parker to Wolfgang (7/16/96) (LG-47) | 1/29/03 | | | Louis Bricklin |
| | D-44 | Letter from Bricklin to Parker (7/18/96) (LG-48) | 1/27/03 | | | J.H. McCormick |
| | D-45 | Letter from Bricklin to Parker, with attached memo from ALR to LEB (Letter dated 4/3/97) (LG-49) | 1/27/03 | | | J.H. McCormick |
| | D-46 | Letter from Bricklin to Hazel Sinclair (7/4/97) (LG-50) | 1/27/03 | | | J.H. McCormick |
| | D-47 | J.H.M. and Statts' answer with new matter and crossclaim in Krapf v. Statts, No. S-650-96 (LG-51) | 1/27/03 | | | J.H. McCormick |
| | D-48 | Woolever's reply to crossclaim in Krapf v. Statts, No. S-650-96 (LG-52) | | | | |
| | D-49 | Woolever's answer and new matter and crossclaim in Mulligan v. Statts, No. S-1689-97 (LG-53) | | | | |
| | D-50 | Letter from Parker to Tomaszewski | 1/28/03 | | | Gayle Cravellius |

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| | | (11/3/97) (LG-54) | | | | |
| | D-51 | Letter from Bricklin to Parker (2/2/98) (LG-55) | 1/27/03 | | | J.H. McCormick |
| | D-52 | Letter from Bricklin to Parker (5/12/98) (LG-56) | 1/28/03 | | | Harold Sinclair |
| | D-53 | Letter from Bricklin to Parker (6/4/98) (LG-57) | 1/29/03 | | | Jerry Parker |
| | D-54 | Letter from Bricklin to Pipa (6/4/98) (LG-58) | 1/29/03 | | | Jerry Parker |
| | D-55 | Letter from Miller to Pipa and Bricklin (8/28/98) (LG-59) | | | | |
| | D-56 | Letter from Pipa to Bricklin (9/21/98) (LG-60) | 1/29/03 | | | Jerry Parker |
| | D-57 | Letter from Bricklin to Pipa (9/28/98) (LG-61) | 1/29/03 | | | Jerry Parker |
| | D-58 | Letter from Parker to Pipa (10/14/98) (LG-62) | 1/29/03 | | | Jerry Parker |
| | D-59 | Proposed Stipulation (4/5/99) (LG-63) | 1/29/03 | | | Louis Bricklin |
| | D-60 | Letter from Bricklin to Miller with proposed stipulation (4/16/99) (LG-64) | 1/29/03 | | | Louis Bricklin |
| | D-61 | Letter from Bricklin to Miller (5/18/99) (LG-65) | 1/29/03 | | | Louis Bricklin |
| | D-62 | Letter from Miller to Bricklin (5/20/99) (LG-66) | 1/29/03 | | | Louis Bricklin |
| | D-63 | Letter from Bricklin to Miller (6/10/99) (LG-67) | 1/29/03 | | | Jerry Parker |
| | D-64 | Letter from Bricklin to Parker (8/30/99) (LG-68) | 1/28/03 | | | Harold Sinclair |
| | D-65 | Letter from Bricklin to Miller (9/10/99) (LG-69) | | | | |
| | D-66 | Letter from Bricklin to Slane (1/18/00) (LG-70) | | | | |
| | D-67 | Lincoln General Insurance Policy (LG-74) | 1/27/03 | | | J.H. McCormick |

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| | D-68 | Deposition transcript of Vernice Statts, Sr. taken on 11/4/97 (LG-75) | 1/29/03 | | | Vernice Statts |
| | D-69 | Deposition transcripts of J. McCormick and Hazel Sinclair taken on 11/4/97 (LG-76) | 1/27/03 | | | J.H. McCormick |
| | D-70 | Northland's form for receipt of suit papers received on 4/15/96 (LG-77) | 1/29/03 | | | Jerry Parker |
| | D-71 | Northland's form for receipt of suit papers received on 9/16/97 (LG-78) | 1/28/03 | | | Gayle Gracelius |
| | D-72 | Driver data sheet, driver's daily log, and lease dated 10/2/95 (LG-82) | | | | |
| P-18 | D-73 | Delivery ticket (11/17/95 and attached trip report) (LG-83) | | | | |
| | D-74 | Lease agreement dated March 1, 1990 for 1985 White (LG-84) | 1/27/03 | | | J.H. McCormick |
| | D-75 | Lease agreement dated June 10, 1993 for 1986 Freightliner (LG-85) | 1/27/03 | | | J.H. McCormick |
| | D-76 | Lease agreement dated December 30, 1994 for 1988 Freightliner (LG-86) | 1/28/03 | | | Harold Sinclair |
| P-15 | D-77 | Letter from Brandt to Himes (6/8/95)(LG-87) | 1/28/03 | | | Franklyn Brandt |
| Part of P-16 & 17 | D-78 | Letter from Hughes to Himes dated July 14, 1995, with attached hold harmless agreement (first page of LG-88 and LG-89) | 1/27/03 | | | J.H. McCormick |
| | D-79 | Letter from Lincoln General to Jersey Shore State Bank (8/1/95) (LG-90) | | | | |
| P-1 | D-80 | Lease dated March 1, 1990 for 1979 Freightliner (NL-A) | 1/29/03 | | | Louis Bricklin |
| P-2 | D-81 | Lease dated 10/4/95 (NL-B) | 1/27/03 | | | J.H. McCormick |
| P-3 | D-82 | Driver data sheet and lease dated 10/6/95 (NL-C) | 1/27/03 | | | J.H. McCormick |
| P-4 | D-83 | Driver data sheet, driver daily logs and | 1/27/03 | | | J.H. McCormick |

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| P-5 | | lease dated 10/25/95 (NL-D) | | | | |
| P-6 | D-84 | Driver data sheet, driver daily logs and lease dated 10/27/95 (NL-E) | 1/27/03 | | | J.H. McCormick |
| P-7 | D-85 | Driver's daily logs, driver data sheet, and lease dated 10/31/95 (NL-F) | 1/27/03 | | | J.H. McCormick |
| P-8 | D-86 | Lease dated 11/2/95, driver data sheet, and driver's daily log (NL-G) | 1/27/03 | | | J.H. McCormick |
| P-9 | D-87 | Lease dated 11/7/95, driver data sheet, and driver's daily log (NL-H) | 1/27/03 | | | J.H. McCormick |
| P-10 | D-88 | Lease dated 11/10/95, driver data sheet, driver's daily logs (NL-I) | 1/27/03 | | | J.H. McCormick |
| P-11 | D-89 | Lease dated 11/14/95, driver data sheet and driver daily log (NL-J) | 1/27/03 | | | J.H. McCormick |
| P-13 | D-90 | Lease dated 11/16/95, driver data sheet, and driver's daily log (NL-K) | 1/27/03 | | | J.H. McCormick |
| | D-91 | Driver's daily logs, lease dated 10/20/95, and driver data sheet (NL-M) | | | | |
| | D-92 | Letter from McGovern to Stone (1/29/96) | 1/28/03 | | | Michael McGovern |
| | D-93 | Letter from McGovern to McCormick (1/29/96) | 1/27/03 | | | J.H. McCormick |
| | D-94 | Letter from Stone to McGovern (3/14/96) | 1/27/03 | | | J.H. McCormick |
| | D-95 | Letter from Stone to McGovern (5/9/96) | | | | |
| | D-96 | Letter from Stone to McGovern (6/7/96) | 1/27/03 | | | J.H. McCormick |
| | D-97 | Letter from Stone to McGovern (6/10/96) | 1/27/03 | | | J.H. McCormick |
| | D-98 | Letter from Wolfgang to McGovern (7/26/96) | 1/28/03 | | | Michael McGovern |
| | D-99 | Letter from Wolfgang to McCormick (7/26/96) | 1/27/03 | | | J.H. McCormick |
| | D-100 | Letter from Pipa to McCormick (4/22/97) | 1/27/03 | | | J.H. McCormick |
| | D-101 | Memo from Pipa to File (10/30/97) | 1/27/03 | | | J.H. McCormick |
| | D-102 | Bricklin's file memo (6/7/96) | 1/29/03 | | | Jerry Parker |
| | D-103 | Bricklin memo to Cusack (6/7/96) | 1/29/03 | | | Louis Bricklin |
| | D-104 | Bricklin letter of 11/22/02 transmitting | 1/27/03 | | | J.H. McCormick |

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| | | answer to Cliffords' document request | | | | |
| | D-105 | JHM Insurance application (5/10/96) | 1/27/03 | | | J.H. McCormick |
| | D-106 | Letter from McGovern to Miller (1/128/00) | 1/28/03 | | | Michael McGovern |
| | D-107 | Audit Request for Woolever policy (8/16/96) | 1/29/03 | | | Louis Bricklin |
| | D-108 | Audit Results for Woolever policy (9/30/96) | 1/29/03 | | | Louis Bricklin |
| | D-109 | Monthly Report for Woolever insurance (10/9/95) | 1/29/03 | | | Louis Bricklin |
| | D-110 | Monthly Report for Woolever insurance (11/13/95) | 1/29/03 | | | Louis Bricklin |
| | D-111 | Monthly Report for Woolever insurance (12/11/95) | 1/29/03 | | | Louis Bricklin |
| | D-112 | Endorsement for Hired Auto Coverage effective 1/1/96 | | | | |